

STEP ONE: Joint Motion submitted to District Court

NO.
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF _____

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JOINT MOTION
UNDER
FED. R.CIV. P. 60(b) and 62.1

The parties jointly file this motion for relief under Fed. R. Civ. P. 60 (b) and for an indicative ruling pursuant to Fed. R. Civ. P. 62.1.

While on appeal, and pursuant to discussions under Rule 33, Rules of the Sixth Circuit, the parties have reached an agreement to settle this matter. One of the terms of this agreement is ...[specify the term of the agreement].

In order to effectuate this settlement, the parties respectfully request this court to ...[specify the Dist. Court action being requested]. Further, the parties request this Court to indicate its willingness to grant this motion by entry of the attached order indicating it “will grant the motion” if the Court of Appeals remands the case(s) for that purpose.

Respectfully submitted,

NO.
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF _____

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ORDER

This matter came to be heard upon the joint motion of the parties pursuant to Fed. R. Civ. P. 60(b) and 62.1 asking this Court to[specify the Dist. Court action being requested].

Considering the parties desire to settle and the entire record, the Court is of the opinion, and so finds, that should the case be remanded to it by the Court of Appeals for the Sixth Circuit, it will grant the relief requested.

IT IS, THEREFORE, ORDERED BY THE COURT that if this case is remanded to the District Court by the Court of Appeals, this Court will grant the parties' motion.

ENTERED this _____ day of _____, 201_.

JUDGE

STEP TWO: Joint remand motion to be filed in Circuit Court with District Court Order attached.

NO.
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

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JOINT MOTION TO REMAND

The parties jointly move, pursuant to FRAP 12.1, to remand this case to the United States District Court for the _____ District of _____ for determination of the parties' joint motion under Fed. R. Civ. P. 60(b) and 62.1.

While on appeal and pursuant to discussions under Rule 33, Rules of the Sixth Circuit, the parties reached an agreement to settle this matter. One of the terms of this agreement was...[specify the term of the agreement]. In order to effectuate this settlement, the parties jointly filed a motion under Fed. R. Civ. P. 60(b) and 62.1 requesting the District court to ...[specify the Dist. Court action being requested].

The District Court has indicated its disposition to grant the parties' motion if this Court remands this case. A copy of that Order is attached.

Wherefore, we respectfully ask the Court to remand this case to the U.S. District Court for the reasons specified.

Respectfully submitted,

NO.
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

A diagram consisting of a vertical line of 10 dots and a horizontal line of 10 dots at the base. The vertical line has dots at each integer level from 1 to 10. The horizontal line has dots at each integer level from 1 to 10, aligned with the vertical line. This represents a structure with 10 vertical levels and 10 horizontal levels.

ORDER

In accordance with the agreement reached between the parties pursuant to Rule 33, Rules of the Sixth Circuit, the parties have jointly moved to remand this case to the United States District Court for the _____ District of _____ for determination of the parties' joint motion filed pursuant to Fed. R. Civ. P. 60(b) and 62.1.

Upon consideration of the motion and further considering the District Court's order of _____, 201_,

IT IS ORDERED that the motion be and is hereby granted. This appeal(s) is remanded to the District Court for further proceedings.

ENTERED PURSUANT TO RULE 33

RULES OF THE SIXTH CIRCUIT

Leonard Green, Clerk
